

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WILSON DIVISION**

**IN RE:  
DONALD JUSTUS BRAKE  
CINDY HEFFNER BRAKE  
Debtors**

**CASE NO.:  
06-00947-8-JRL  
  
CHAPTER 12**

**APPLICATION FOR EMPLOYMENT OF PROFESSIONAL PERSON**

Pursuant to 11 U.S.C. Sec. 327, the undersigned Debtors-In-Possession hereby makes application to the Court for an Order authorizing employment of professional persons as follows:

1. That Donald Justus Brake and Cindy Heffner Brake are the Debtors-In-Possession under Chapter 12 in the above estate, and as such, it shall be necessary for them to employ an attorney in the performance of the duties imposed upon said Debtors-In-Possession. It will be necessary for them to have such a professional person to assist, to act, and to advise in preserving, liquidating and recovering for this estate the various properties, to make an investigation of any additional assets and any rights which the Debtors-In-Possession may have to the same, and to obtain a confirmed Plan.

2. The Petitioners wish to employ Stephen L. Beaman of Wilson, North Carolina, who is qualified in such matters, to assist him as stated above. To the best of the Petitioners' knowledge and information and belief the said professional person has no connection with debtors' creditors or any other party in interest, and said professional person does not represent an interest adverse to the estate and is a disinterested person, as is evidenced by the Affidavit regarding attorney employment attached hereto.

3. The employment of said professional person is in the best interest of the estate of the debtors.

4. Said Debtors-In-Possession, if authorized by the Court to employ said professional person, has negotiated a contract for said employment upon reasonable terms and conditions including but not limited to those terms set forth in 11 U.S.C. Sec. 327, and the terms are set out in the Petition filed herein.

WHEREFORE, the undersigned Debtors-In-Possession prays the Court for an Order authorizing him to employ said Stephen L. Beaman for the purposes set out herein upon reasonable terms and conditions of employment.

This 3<sup>rd</sup> day of April, 2006.

s/Donald Justus Brake  
Donald Justus Brake, Debtor

s/Cindy Heffner Brake  
Cindy Heffner Brake, Debtor

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing **APPLICATION FOR EMPLOYMENT OF PROFESSIONAL PERSON** was served on the Bankruptcy Administrator on this date by mailing a copy of said document to her at her address, P.O. Box 3758, Wilson, N.C. 27895-3758, by depositing the same in a postpaid, properly addressed wrapper in a Post office or other official depository under the exclusive care and custody for the U.S. Postal Service.

This 3rd day of April, 2006.

Law Office of Stephen L. Beaman, P.A.

By: s/Stephen L. Beaman

Stephen L. Beaman, N.C. State Bar No. 6021

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